

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

- My residence, post office address and citizenship are as stated below next to my name.
- I believe I am an original, first and joint Inventor of the subject matter which is claimed and for which a patent is sought on the Invention entitled "PHASER WITH A SINGLE RECIRCULATION CHECK VALVE AND INLET VALVE", the specification of which

☒ is attached hereto

☐ was filed on _____ as
 ☐ United States Application Number
 ☐ PCT International Application Number

☐ was amended on _____

- I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims and the drawing.
- I acknowledge the duty to disclose information which is material to patentability, as defined in 37 CFR §1.56. If this application claims priority from a prior application, I acknowledge the duty to disclose information which is material to patentability, as defined 37 CFR §1.56, which became available between the filing date of the prior application and the date of this application.
- As to the subject matter of this application:
 - a. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof;
 - b. I do not know and do not believe that the same was ever patented or described in any printed publication in any country before my invention thereof, or more than one year prior to the date of this application;
 - c. I do not know and do not believe that the same was in public use or on sale in the United States of America more than one year prior to the date of this application; and
 - d. Said subject matter has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to the date of this application.

[X] I hereby claim the benefit under 35 USC §119(e) of any United States provisional application listed below.

Application Number	Filing Date (MM/DD/YYYY)
60/445,748	February 7, 2003

Please associate this application with USPTO Customer Number 32175

I hereby appoint the registered attorneys and agents associated with USPTO Customer Number 32175 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

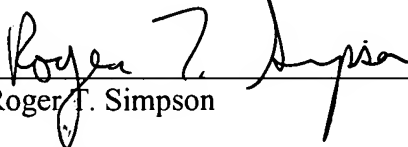
- Address all telephone calls to Lynda M. Wood at telephone number 607-256-2000.
- Fax communications should be sent to telephone number 607-256-3628.
- E-mail communications should be addressed to: Lwood@bpmlegal.com.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file"

- Address all correspondence to USPTO Customer Number 32175.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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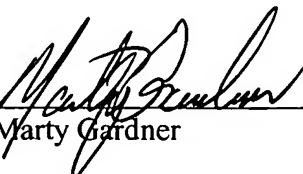


Roger T. Simpson

1/15/04

Date

Full name of second Inventor: Marty Gardner
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Marty Gardner

1/15/04

Date